

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

----- X
BENJAMIN CAREATHERS, : 1:13-CV-0369 (KPF)
individually, and on behalf of all others :
similarly situated, : ECF Case
:
Plaintiff, : Electronically Filed
:
- against - :
:
RED BULL NORTH AMERICA, INC., :
a California corporation, :
:
Defendant. :
----- :
DAVID WOLF and MIGUEL : 1:13-cv-08008 (KPF)
ALMARAZ, individually and on behalf of :
others similarly situated, :
:
Plaintiffs, :
v. :
:
RED BULL GMBH, a foreign company; :
RED BULL NORTH AMERICA, INC., a :
California corporation; and RED BULL :
DISTRIBUTION COMPANY, INC., a :
Delaware corporation, :
:
Defendants. :
:
----- X

PLAINTIFFS' RESPONSE TO OBJECTOR/APPELLANT
DAVE MAGER'S REQUEST FOR LEAVE TO OPPOSE
PLAINTIFFS' MOTION FOR AN APPEAL BOND

On August 11, 2015, Appellant Dave Mager (“Mager”) requested leave to file an untimely opposition to Plaintiffs’ motion for an appeal bond. *See* Dkt. No. 120. Plaintiffs take no position with respect to Mager’s request other than to ask that, in the event the Court allows the submission, it likewise accept the memorandum attached as Exhibit A in reply.

Respectfully submitted,

Dated: August 19, 2015
San Francisco, CA

KAPLAN FOX & KILSHEIMER LLP

/s/ Laurence D. King

Laurence D. King
Linda M. Fong
350 Sansome Street, Suite 400
San Francisco, CA 94104
Telephone: (415) 772-4700
Facsimile: (415) 772-4707
lking@kaplanfox.com
lfong@kaplanfox.com

KAPLAN FOX & KILSHEIMER LLP

Frederic S. Fox
Melinda D. Campbell
850 Third Avenue, 14th Floor
New York, New York 10022
Telephone: (212) 687-1980
ffox@kaplanfox.com

KAPLAN FOX & KILSHEIMER LLP

Justin B. Farar
11111 Santa Monica Blvd, Suite 620
Los Angeles, CA 90025
Telephone: (310) 575-8670
Facsimile: (310) 575-8697
jfarar@kaplanfox.com

*Attorneys for Plaintiffs David Wolf & Miguel
Almaraz*

Dated: August 19, 2015
New York, NY

MORELLI ALTERS RATNER, LLP

/s/ Benedict P. Morelli

Benedict P. Morelli
David S. Ratner
Adam Deutsch
777 Third Avenue, 31st Floor
New York, NY 10017
bmorelli@morellialters.com
dratner@morellialters.com
adeutsch@morellialters.com

MORELLI ALTERS RATNER, LLP

Jeremy W. Alters
Matthew T. Moore
Miami Design District
2675 N.E. 188th Street
Miami, Florida 33180
jalters@morellialters.com
mmoore@morellialters.com

Attorneys for Plaintiff Benjamin Careathers

CERTIFICATE OF SERVICE

I, Laurence D. King, hereby certify that on August 19, 2015, I caused the foregoing to be electronically filed using the Court's CM/ECF system, which will automatically send a notice of electronic filing to counsel of record.

Additionally, I caused the following parties, who are not registered to receive electronic notices via the Court's CM/ECF system, to be served by First Class Mail:

Benedict P. Morelli
Morelli Ratner PC
950 Third Avenue
New York, NY 10022

Dave Mager
10121 Page Road
Streetsboro, OH 44241

Barry Waterman
560 Sparks Mill Rd
Centreville, MD 21617

Jonathan Corbett
382 NE 191st St #86952
Miami, FL 33179-3899

Christopher Andrews
P. O. Box 530394
Livonia, MI 48152-0394

Lawrence Montecalvo
273 Lion Point
Boulder, CO 80302

Michael Narkin
85391 Chezem Road
Eugene, OR 97405

Chad Farmer
208 Via Morello
Encinitas, CA 92024

Christopher Bandas
Bandas Law Firm PC
500 N. Shoreline Blvd., Ste.1020
Corpus Christi, TX 78401
Counsel for Objector-Appellant
Paul J. Lopez

/s/ Laurence D. King
Laurence D. King